

REMARKS

Claims 1-10 and 22-24 are pending.

Claim Rejections Under 35 U.S.C. §103

Claims 1-10 and 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,890,188 to Le ("Le") in view of U.S. Patent No. 6,234,810 to Schnell et al. ("Schnell").

In the initial Office Action dated April 3, 2006, claims 1-6, 8-10, and 22-24 were rejected under 35 U.S.C. §102(b) as being anticipated by Le. The Examiner indicated in the Office Action dated October 12, 2006 that arguments in a Response filed on July 7, 2006 were persuasive and the rejections under both §102 and §103 were withdrawn.

The new grounds of rejection of Le in view of Schnell were therefore made. It is respectfully submitted that Schnell does not remedy the shortcomings in the teachings of Le for the reasons provided below.

Each of the independent claims 1 and 22 of this group specify that the card includes a cover that is rotatable "about an axis extending across a width of the card."

While Schnell does disclose an axis of rotation in a SIM card holder, the pivoting axis 60 and hinge means 56 of Schnell are not part of the card, but are essentially part of the host device. Schnell is related to and teaches SIM card connectors that are integrated into mobile phones. See e.g. Col. 1, lines 14-27 of Schnell. Schnell is focused upon reducing the size of the connector so that it is easier to integrate into and access in a mobile phone where "limited construction space is available." See Col. 1 lines 22-23 of Schnell. The bottom surface 27 of connector 10 of Schnell is placed on surface of the mobile phone, likely a printed circuit board, to which the terminal ends 36 are ostensibly soldered. See Col. 3 lines 30-33 and 49-51. The SIM card connector 10 therefore is integrated into the host phone during manufacturing and is where one would insert a SIM card into the phone.

A mobile phone SIM card receiver is not particularly relevant or pertinent to the claimed memory cards that include a cover, for, in the preferred embodiments, a USB connector that is part of the memory card. Therefore, one of skill in the art would not look to Schnell and would not therefore combine the teachings of the SIM card holder of Schnell with Le to arrive at the

claimed invention. It is respectfully asserted that for all the foregoing reasons that Schnell is non analogous art and does not therefore form the basis for a proper obviousness rejection under §103.

Additionally, there is no teaching or suggestion within Schnell that would lead one of skill in the art to integrate the pivoting axis of the SIM card holder of Schell with the teachings of Le.

The Examiner indicates that "it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Schnell within the system of Le because it would optimize guiding geometry which reduce longitudinal dimension." Office action at page 3 and 4. This is respectfully traversed. As will be explained below, reducing the longitudinal dimension or length of the host connector is not a concern of or relevant to the claimed invention and not therefore a proper motivation to combine.

The primary thrust of Schell is to reduce the size of the SIM card receptacle of a mobile phone, because, as mentioned earlier, in a mobile phone "limited construction space is available." See Col. 1 lines 22-23 of Schnell. Because space within a phone is limited, especially where one typically inserts a SIM card, often near or under the battery, Schnell teaches a system that reduces the length of the SIM card connector. This is most readily seen in FIGS. 4 and 5 of Schnell, where the overall length of the SIM card connector appears to be reduced from 27.0 mm in the prior art of FIG. 4 to 25.5 mm in the embodiment of the invention depicted in FIG. 5. This reduction in length would make the connector easier to integrate into a device such as a mobile phone.

However, it is respectfully asserted that this is not relevant to either independent claims 1 and 22 or to the teachings of Le, and that one of skill in the art would not therefore combine the teachings of Schell and Le.

In addition, Schell in essence teaches away from the present application. To the extent that Schell may be interpreted to reduce the length of the claimed memory card itself (or a host receptacle) this may render the card incompatible with a standard receptacle for the card. The present application and the claims thereof are directed towards a memory card that is more universally readable by a wide variety of standard connectors, not less so.


Therefore, for all the reasons above, it is submitted that claims 1-10 and 22-24 are in condition for allowance.

Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned at 415-318-1163 would be appreciated.

FILED VIA EFS

Respectfully submitted,


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1/11/07
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